

## REMARKS

The Examiner is thanked for the indication that claim 8 is allowable if rewritten in independent form.

Claims 1-7 and 9-27 remain pending in the instant application. Claims 1-7 and 9-27 presently stand rejected. Claims 1, 7, 13, and 21 are amended herein. Claim 8 is hereby cancelled without prejudice. Entry of this amendment and reconsideration of the pending claims are respectfully requested.

### *Claim Rejections – 35 U.S.C. § 102*

Claims 1-7 and 9-27 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Rolland et al (US 5,799,119).

Independent claims 1, 13, and 21 have been amended to include the subject matter of claim 8 which the Examiner deemed allowable in the Office Action. To be sure, the Examiner stated, “None of the references of record teaches or suggests a branching waveguide made of a silicon-on-insulator (SOI) structure as is recited in claim 8.” *Office Action* mailed June 7, 2005, Allowable Subject Matter Section.

Consequently, independent claims 1, 13, and 21 all include allowable subject matter. Accordingly, Applicants request that the instant §102 rejection of claims 1, 13, and 21 be withdrawn.

Dependent claims 2-7, 9-12, 14-20, and 22-27 are novel over the prior art of record for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicants respectfully request that the instant § 102 rejections for claims 2-7, 9-12, 14-20, and 22-27 be withdrawn.

## CONCLUSION

In view of the foregoing amendments and remarks, Applicants believe the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the

undersigned representative at (206) 292-8600 if the Examiner believes that an interview might be useful for any reason.


### CHARGE DEPOSIT ACCOUNT

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). Any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-2666. Please credit any overpayment to the same deposit account.

Respectfully submitted,

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